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PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER	
ELAHEE, MD S	
ART UNIT	**PAPER NUMBER**
2645	6

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/823,897	Applicant(s) WIDGER ET AL.	
	Examiner Md S Elahee	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) *33-39* is/are withdrawn from consideration.

5)☒ Claim(s) *1-3* is/are allowed.

6)☒ Claim(s) *4-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Restriction Requirement

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. Claims 1-32, drawn to Toll Center, under Plural Exchange Network or Interconnection, classified in Class 379, subclass 222.

Group II. Claims 33-39, drawn to Alternate routing, under Plural Exchange Network or Interconnection, classified in Class 379, subclass 221.01.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions Group I. Claims 1-32, drawn to Toll Center, under Plural Exchange Network or Interconnection, classified in Class 379, subclass 222 and Group II. Claims 33-39, drawn to Alternate routing, under Plural Exchange Network or Interconnection, classified in Class 379, subclass 221.01 are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In this instant case, invention Group I has separate utility such as for use in routing of calls based on a single subscriber number, whereas, invention Group II has separate utility such as for use in routing of calls based on more than one subscriber number. See M.P.E.P. § 806.05(d).

3. Because these inventions are distinct for the reason given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated proper.

4. During a telephone conversation with Christopher J. Daley-Watson on 03/03/04 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-32. Affirmation of this election must be made by applicant in responding to this Office action.

Claims 33-39 are withdrawn from further consideration by the Examiner, 37 C.F.R. § 1.142(b), as being drawn to a non-elected invention.

5. **Applicant is reminded that upon the can cellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application.** Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).

Claim Objections

6. Claim 7 is objected to because of the following informalities: regarding claim 7, on page 34, the phrase 'receiving a second message central telecommunications server over the Internet' appears to be 'receiving a second message over the Internet'. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 4, 6-11, 16, 18, 20-22, 24 and 26-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riskin (U.S. Patent No. 4,757,267) and in view of Gross et al. (U.S. Patent No. 6,389,117) and further in view of Smith (U.S. Patent No. 6,594,352).

Regarding claim 4, Riskin teaches a LDC data base (i.e., memory) (fig.1; col.6, line 67).

Riskin further teaches a computer coupled to the LDC data base (fig.1; col.6, lines 39, 40, 67).

Riskin further teaches a telecommunications LDC toll office along with LDC data base (i.e., call handling subsystem) coupled between the LEC local central office (i.e., local telecommunications network) and the computer, wherein the computer and LDC toll office along with LDC data base are configured to receive a call from a caller (i.e., first number) to an 800 number (i.e., second number) associated with the dealer (i.e., subscriber) (fig.1; col.6, lines 34-53).

However, Riskin fails to teach "store in the memory at least the second number". Gross teaches storing in the memory at least the second number (fig.1; col.6, lines 7-9). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Riskin to allow storing in the memory at least the second number as taught by Gross. The motivation for the modification is to have doing so in order to provide access to the subscriber profile.

Riskin further teaches transferring at least the 800 number (i.e., second number) to the CDSC Remote RC 20 (i.e., central telecommunications server) (fig.1; col.6, lines 39-53, 66, 67, col.8, lines 1-12).

Riskin in view of Gross further fails to teach "initiate a 1-800 call to the central telecommunications server over a 1-800 network via the local telecommunications network". Smith teaches initiating a 1-800 call to the directory assistance center (DAC) (i.e., central telecommunications server) over a 1-800 network via the local telecommunications network (fig.1; col.3, lines 35-44, col.5, lines 1-15). Thus, it would have been obvious to one of ordinary

skill in the art at the time the invention was made to modify Riskin in view of Gross to allow initiating a 1-800 call to the central telecommunications server over a 1-800 network via the local telecommunications network as taught by Smith. The motivation for the modification is to have doing so in order to provide directory assistance unit to initiate a 1-800 call.

Regarding claim 6, Riskin teaches receiving a routing message from the central telecommunications server (col.6, lines 66, 67, col.8, lines 1-12).

Riskin further teaches placing a local call over the local dialable network to the subscriber based on the received routing message (fig.1; col.8, lines 37-42).

Riskin further teaches to bridge (i.e., connect) the call with the local call (col.8, lines 42-45).

Regarding claim 7, Riskin fails to teach "provide a first message over the Internet to the central telecommunications server". Gross teaches providing a page (i.e., first message) over the Internet to the web server (i.e., central telecommunications server) (col.10, lines 29-30, 57-61). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Riskin to allow providing a first message over the Internet to the central telecommunications server as taught by Gross. The motivation for the modification is to have doing so in order to page the subscriber over internet.

Riskin further fails to teach "receiving a second message over the Internet". Gross teaches receiving a second message over the Internet (col.6, lines 33-52, col.10, lines 29-30, 51-61). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Riskin to allow receiving a second message over the Internet as taught by

Gross. The motivation for the modification is to have doing so in order to deliver the message to the intended recipient after checking the subscriber's preference.

Regarding claim 8, Riskin teaches transferring at least the second number includes transferring to the central telecommunications server the calling number as DTMF signaling (fig.1; col.6, lines 39-53, 66, 67, col.8, lines 1-12).

Regarding claim 9, Riskin teaches an available ISDN field in the signaling data (i.e., 1-800 call) (col.9, lines 42-57, 64-66).

Regarding claims 10, 11 and 32 are rejected for the same reasons as discussed above with respect to claims 1 and 6.

Regarding claim 16, Riskin teaches transferring at least the second number includes transferring to the central telecommunications server the called number in an in-band signal (col.9, lines 42-57, 64-66, col.10, lines 1-8).

Regarding claim 18 is rejected for the same reasons as discussed above with respect to claims 1 and 7.

Regarding claim 20 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Riskin teaches the central telecommunications server is capable of routing the received call to a second PBX (fig.1; col.6, lines 39-53, 66, 67, col.8, lines 1-12, col.10, lines 19-28).

Regarding claims 21, 22 and 26 are rejected for the same reasons as discussed above with respect to claim 1.

Regarding claim 24, Riskin teaches gathering routing number of originally dialed 800 number (i.e., metrics) based on calls received (col.6, lines 39-53, 66, 67, col.8, lines 1-12).

Regarding claim 24, Riskin teaches gathering routing number of originally dialed 800 number (i.e., metrics) based on calls received (col.6, lines 39-53, 66, 67, col.8, lines 1-12).

Regarding claim 27, Riskin teaches that the computer-readable medium is a logical node in a computer network receiving the contents (col.6, lines 39-67, col.8, lines 1-12).

Regarding claim 28, Riskin teaches that the computer-readable medium is a computer-readable disk (col.8, lines 56-66).

Regarding claim 29, Riskin teaches that the computer-readable medium is a data transmission medium transmitting a generated data signal containing the contents (col.6, lines 39-53, 66, 67, col.8, lines 1-12, 40-45).

Regarding claim 31 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Riskin teaches a call received by the LDC Database computer (i.e., local controller) (fig.1; col.6, lines 39-53, 66, 67, col.8, lines 1-12, col.10, lines 19-28). (Note: 'or' used here is considered as a simple 'or', therefore, examiner does not need to address multiple phrases associated with 'or').

9. Claims 12, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riskin (U.S. Patent No. 4,757,267) and in view of Gross et al. (U.S. Patent No. 6,389,117) and further in view of Smith (U.S. Patent No. 6,594,352) and further in view of Liao et al. (U.S. Patent No. 5,590,186).

Regarding claim 12, Riskin in view of Gross further in view of Smith fails to teach "provide voice scripts to the received call". Liao teaches providing voice scripts to the received call (col.5, lines 11-19). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Riskin in view of Gross further in view of Smith to allow

determining whether one or more message attachments are convertible into text as taught by Liao. The motivation for the modification is to have doing so in order to collect information from the caller.

Riskin further fails to teach "receive and store in the memory a voice message". Gross teaches receive and store in the memory a voice message (col.10, line 63-col.11, line 35). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Riskin to allow receive and store in the memory a voice message as taught by Gross. The motivation for the modification is to have doing so in order to leave the message for the subscriber for later retrieval.

Regarding claim 13 is rejected for the same reasons as discussed above with respect to claim 12. Furthermore, Riskin fails to teach "forward to the central telecommunications server the stored voice message". Gross teaches forward to the VFP (i.e., central telecommunications server) the stored voice message (fig.1B; col.10, line 63-col.11, line 35, col.11, line 64, col.12, line 4). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Riskin to allow forward to the central telecommunications server the stored voice message as taught by Gross. The motivation for the modification is to have doing so in order to provide the options to the guest caller.

Regarding claim 17, Riskin in view of Gross further in view of Smith fails to teach "called number in out-of-band signal". Liao teaches the called number in out-of-band signal (col.5, lines 48-56). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Riskin in view of Gross further in view of Smith to allow

called number in out-of-band signal as taught by Liao. The motivation for the modification is to have doing so in order to have the billing record.

10. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riskin (U.S. Patent No. 4,757,267) and in view of Gross et al. (U.S. Patent No. 6,389,117) and further in view of Smith (U.S. Patent No. 6,594,352) and further in view of Fortman et al. (U.S. Patent No. 5,987,100).

Regarding claim 15, Riskin fails to teach "receive a call disposition message from the subscriber that indicates how the received call is to be routed". Gross teaches to receive a call disposition message from the subscriber that indicates how the received call is to be routed (col.7, lines 32-50). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Riskin to allow receiving a call disposition message from the subscriber that indicates how the received call is to be routed as taught by Gross. The motivation for the modification is to have doing so in order to provide provide the call treatment based on the subscriber preference.

Riskin in view of Gross further in view of Smith further fails to teach "provide an alert message to the subscriber over the Internet based on the received called". Fortman teaches provide an alert message to the subscriber over the Internet based on the received called (col.5, lines 42-49). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Riskin in view of Gross further in view of Smith to allow provide an alert message to the subscriber over the Internet based on the received called as taught by Fortman. The motivation for the modification is to have doing so in order to provide notification of the pending messages to the subscriber.

Allowable Subject Matter

11. Claims 1-3 are allowed.

12. The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 1, prior art fails to teach, at the local controller, locally storing at least the called number associated with the caller, initiating a 1-800 call to the central telecommunications server over a 1-800 network via the local telecommunications network as well as transferring the called number to the central telecommunications server via the 1-800 call over the 1-800 network.

13. Claims 5, 14, 19, 23 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M.E.

MD SHAFIUL ALAM ELAHEE
March 8, 2004

Allan Hoosain
ALLAN HOOSAIN
PRIMARY EXAMINER for
Fan Tsang